

of Texas, to disannex unimproved territory, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be printed in the Journal and not otherwise.

RIDGEWAY, Chairman.

Committee Room,

Austin, Texas, June 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 26, A bill to be entitled "An Act to prohibit the reckless driving and operation of motor vehicles on the public highways of the State of Texas, and prescribing penalties therefor, and defining reckless driving and operation, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be printed in the Journal and not otherwise.

TURNER, Chairman.

Committee Room,

Austin, Texas, June 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 33, A bill to be entitled "An Act amending the statutes relative to drugs and narcotics making it unlawful to possess for unlawful sale, furnishing or giving away any marijuana or other drug, narcotic preparation, derivative or preparation mentioned in Section 1 of Chapter 150, General Laws, Regular Session of the 36th Legislature as amended by Chapter 61, General Laws of the Second Called Session of the 36th Legislature, and making it a felony to carry on or about the person any pistol, arm or weapon mentioned in Article 475, Penal Code, while so possessing same; prescribing penalties; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

TURNER, Chairman.

Committee Room,

Austin, Texas, June 8, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 35, A bill to be entitled "An Act regulating the lights and lighting and operation of motor vehicles, tractors, trailers, semi-trailers, motorcycles, and bicycles in this State; prescribing the lights for such vehicles between the hours of half-hour after sunset and half-hour before sunrise; providing for the use of red flags on certain loaded vehicles in the daytime; enacting the necessary penal provisions as to lights for such vehicles and devices and equipment for such lights; providing for the tests and approval of such devices and equipment by the State Highway Commission; prescribing the rule of evidence in criminal prosecutions relative to such test and approval; prescribing penalties for violations of the Act; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it be printed in the Journal.

TURNER, Chairman.

SIXTEENTH DAY.

(Continued.)

Senate Chamber,

Austin, Texas,

Saturday, June 9, 1923.

The Senate met at 10 o'clock a. m. and was called to order by Lieutenant Governor T. W. Davidson.

H. B. No. 11 on Second Reading.

On motion of Senator Fairchild, by unanimous consent, the regular order of business was suspended, and the Senate took up out of its regular order, on its second reading and passage to third reading,

H. B. No. 11, A bill to be entitled "An Act to amend Subdivision 5 of Article 7618 of the Revised Civil Statutes of 1911, as amended by Chapter 124, page 190, General Laws, Regular Session, Thirty-fourth Legislature, approved March 22, 1915, pertaining to the collec-

tion of delinquent and insolvent taxes and making reports of same by county tax collectors."

The Chair laid the bill before the Senate, and it was read second time and passed to third reading.

H. B. No. 12 on Second Reading.

On motion of Senator Fairchild, by unanimous consent, the regular order of business was suspended, and the Senate took up out of its regular order, on its second reading and passage to third reading,

H. B. No. 12, A bill to be entitled "An Act to amend Article 7629 of the Revised Civil Statutes of 1911, pertaining to credits allowed tax collectors for unpaid taxes reported or returned by them as delinquent or insolvent."

The Chair laid the bill before the Senate, and it was read second time and passed to third reading.

S. B. No. 31—Ordered Printed in the Journal.

On motion of Senator Parr, S. B. No. 31 was ordered printed in the Journal.

Executive Session—Time Set.

Senator Wirtz moved that the Senate go into executive session next Monday at 3 o'clock p. m. for the purpose of considering nominations by the Governor.

The motion prevailed.

S. B. No. 6—Additional Conference Members.

The Chair (Lieutenant Governor T. W. Davidson) announced the appointment of the following to serve on the Free Conference Committee on S. B. No. 6, in the place of two absent Senators heretofore appointed: Senators Woods and Murphy.

H. B. No. 86—Free Conference Committee Appointed.

Senator Murphy moved that the Senate grant the request of the

House for a Free Conference Committee on H. B. No. 86.

The motion was adopted.

In accordance with the above motion, the Chair (Lieutenant Governor T. W. Davidson) announced the appointment of the following committee on the part of the Senate: Senators Wood, Witt, Bowers, Stuart, Lewis.

S. C. R. No. 8.

By Senators Fairchild, Cousins, Bailey, Rogers and Parr:

Resolved, By the Senate, the House concurring, that the Third Called Session of the Thirty-eighth Legislature, adjourn sine die June 11th at 11 p. m.

On motion of Senator Woods, the resolution was laid on the table subject to call.

Recess.

On motion of Senator Wood, the Senate at 11:50 a. m. recessed to 3 p. m. today.

Afternoon Session.

The Senate met at 3 p. m. and was called to order by Lieutenant Governor T. W. Davidson.

H. B. No. 51—Ordered Printed in the Journal.

On motion of Senator Wood, H. B. No. 51 was ordered printed in the Journal.

H. C. R. No. 11.

The Chair laid before the Senate for consideration,

H. C. R. No. 11, Authorizing Comptroller to transfer certain appropriations.

Authorizing and directing the Comptroller of Public Accounts to transfer the unexpended balance amounting to ninety-six and 46/100 (\$96.46) dollars of an appropriation of one hundred dollars made by the Thirty-seventh Legislature at its First Called Session for contingent

expense of the State Tax Board for the fiscal year ending August 31, 1923, to the credit of the appropriation made for the same fiscal year for said board for payment of postage, telegraph, telephone and express. Be it

Resolved, By the House of Representatives, the Senate concurring, that

Whereas, The Thirty-seventh Legislature at its First Called Session appropriated for the State Tax Board the sum of one hundred dollars for contingent expense for the fiscal year ending August 31, 1923; and

Whereas, But \$3.54 of said appropriation has been expended, leaving a balance amounting to \$96.46; and

Whereas, At the same session the Legislature appropriated for the use of said board, to be expended during the same fiscal year, the sum of \$200 for payment of postage, telegraph, telephone and express, which sum is inadequate; therefore, be it

Resolved, By the House, the Senate concurring, that the Comptroller of Public Accounts be authorized and he is hereby directed to transfer said unexpended balance of said appropriation made for contingent expense, to be available for the payment of postage, telegraph, telephone and express by the State Tax Board during said fiscal year ending August 31, 1923.

The resolution was read and adopted.

S. B. No. 20 on Second Reading.

On motion of Senator Burkett, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 20, A bill to be entitled "An Act providing for the supervision and regulation of the transportation of persons and property for compensation or hire over any public highway by motor propelled vehicles; defining auto transportation companies as common carriers and providing for the supervision; providing for the furnishing of liability insurance or a surety bond by auto transportation companies; defining the duties and powers of the Railroad Commission of Texas over auto transportation companies authorizing the Railroad Commission of Texas to make rules and regula-

tions for governing auto transportation companies, to fix rates, supervise service, make investigation of books, accounts, and the doing of all other matters and things pertaining to auto transportation that may be necessary in the matter of regulation and control; authorizing the Railroad Commission of Texas to punish for contempt for the violation of its rules and regulations; providing a penalty for the violation of the law and the rules and regulations of the Railroad Commission of Texas; providing for additional office space and the employment of the necessary employees to administer and enforce this law, and the payment of such employees and all other expense out of the funds derived from fees and fines and providing for payment in event of deficit, and declaring an emergency."

The Chair laid the bill before the Senate and it was read second time.

Senator Wirtz offered the following amendment to the bill:

Amend S. B. No. 20, Section 9, page 166 of Senate Journal by striking out "ten dollars (\$10.00)" wherever it appears, and in lieu thereof insert "twenty-five dollars (\$25.00)," and by striking out "fifty (50) cents" and in lieu thereof insert "five dollars (\$5.00)."

The amendment was adopted.

Senator Fairchild offered the following amendments to the bill:

(1)

Amend S. B. No. 20, on last page of bill, by adding new Section 14c to read as follows:

"Section 14c. In order to provide adequate compensation for the members of the Railroad Commission of the Common Carrier Pipe Line Act, the Oil and Gas Conservation Law and the Gas Utilities Law heretofore placed upon the Railroad Commission of Texas, each member of the Railroad Commission shall receive, in addition to the compensation now provided by law, the sum of one thousand dollars per annum, payable one-half out of the Regulating Pipe Line Fund, created by Section 11, Chapter 30, Acts of the Regular Session of the Thirty-fifth Legislature, approved February 20, 1917, and one-half out of the Gas Utilities Fund, created by Section 11, Chapter 14, Acts of the Third Called Session of the Thirty-sixth Legisla-

ture, approved June 12, 1920, said sums to be paid in monthly installments by warrants drawn by the State Comptroller on the State Treasurer against said funds, as provided in said Acts for other salaries and expenses."

(2)

Amend caption by providing for compensation of necessary officers for administering the law.

The amendments were adopted.

Senator Wirtz offered the following amendment to the bill:

Amend S. B. No. 20, Section 9, page 166, by striking out "one (\$1.00) dollar," line 10, right hand column, and in lieu thereof insert "ten dollars (\$10.00)."

The amendment was adopted.

Senator Wirtz offered the following amendment to the bill:

Amend S. B. No. 20, by striking out the words "Commission," wherever they appear in the bill, and in lieu thereof insert "department," and by striking out the words "Railroad Commission" wherever they appear, and in lieu thereof insert "Highway Department."

On motion of Senator Fairchild, the amendment was tabled.

S. B. No. 20 was then passed to engrossment.

Bills Signed.

The Chair (Lieutenant Governor T. W. Davidson) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

- H. B. No. 9.
- H. B. No. 77.
- H. C. R. No. 10.
- H. C. R. No. 13.
- S. B. No. 10.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, June 9, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 23, A bill to be entitled "An Act to amend Sections 1 and 3, Chapter 2, Special Laws of Texas, Thirty-seventh Legislature, First

Called Session, an Act creating the McCaulley County Line Independent School District in Fisher and Jones Counties; and declaring an emergency."

S. B. No. 24, A bill to be entitled "An Act to create the Sylvester Independent School District in Fisher County, Texas, including the present Sylvester Independent District of said county; providing a board of trustees therefor, vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the present Sylvester Independent District shall continue to act as such until their successors are elected in accordance with the General Laws of Texas; providing for the assumption of any outstanding bonded indebtedness created by the present Sylvester Independent District; and declaring an emergency."

S. B. No. 25, A bill to be entitled "An Act creating the West Columbia Independent School District, in Brazoria County, Texas; defining its boundaries, including the present Common School District No. 16 in Brazoria County, Texas; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of the State of Texas upon independent school districts and the boards of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms; validating a bond issue of \$40,000 heretofore voted in said districts; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The House has adopted the report of the Free Conference Committee on S. B. No. 10 by a vote of 84 yeas, 6 nays, 15 present not voting.

House has concurred in Senate amendments to H. B. No. 67 by a vote of 104 yeas, 5 nays.

House refuses to concur in Senate amendments to H. B. No. 86 and requests the appointment of a Free Conference Committee to adjust the differences between the two Houses.

The following committee is appointed on part of the House: Henderson of Marion, Edwards, Hardin of Erath, Stewart of Reeves and Shearer.

Respectfully submitted,
C. L. PHINNEY,
Chief Clerk, House of Representatives.

Adjournment.

On motion of Senator Watts, the Senate at 4:45 p. m. adjourned until 10 o'clock a. m. Monday.

APPENDIX.

Senate Chamber,
Austin, Texas, June 9, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 29 carefully compared and find same to be correctly engrossed.

STRONG, Vice-Chairman.

Senate Chamber,
Austin, Texas, June 9, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 32 carefully compared and find same to be correctly engrossed.

STRONG, Vice-Chairman.

Committee Room,
Austin, Texas, June 9, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 31, A bill to be entitled "An Act authorizing the purchase of Block No. 109 in the city of Austin, Texas, by the State of Texas and Travis County, Texas, and the erection thereon of a building for the use of the Supreme Court, the Court of Criminal Appeals, certain other Appellate Courts of Texas, and the Supreme Court Library, and for the use of the courts of Travis County, Texas, and the offices of the officials of said county; providing for an equal division of the expenses thereof between the State of Texas and Travis County, Texas, and making an appropriation therefor, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WOOD, Chairman.

(Majority Report.)

Committee Room.

Austin, Texas, June 9, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, a majority of your Committee on Finance, to whom was referred

H. B. No. 74, A bill to be entitled "An Act to appropriate six million dollars (\$6,000,000.00) out of the general funds of the State to aid all the public schools for the scholastic years beginning September 1, 1923, and September 1, 1924, and ending August 31, 1924, and August 31, 1925, respectively, the same to be distributed as the available school funds are now distributed, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following committee amendments, and be printed in the Journal.

Amendment No. 1.

Amend H. B. No. 74, by striking out the words and figures "six million dollars (\$6,000,000.00)" in the caption and body of the bill wherever they appear and insert in lieu thereof the words and figures "four million dollars (\$4,000,000.00)."

Amendment No. 2.

By striking out of said bill the words and figures "three million dollars (\$3,000,000.00)" wherever they appear and insert in lieu thereof the words and figures "two million dollars (\$2,000,000.00)."

WOOD, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, June 9, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Finance, to whom was referred H. B. No. 74, have had same under consideration, and beg leave

to report the same back to the Senate with the recommendation that it do pass.

DARWIN.
LEWIS.
BURKETT.

Committee Room,
Austin, Texas, June 9, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. C. R. No. 11, "Authorizing and directing the Comptroller of Public Accounts to transfer the unexpended balance amounting to ninety-six and

46/100 (\$96.46) dollars of an appropriation of one hundred dollars made by the Thirty-seventh Legislature at its First Called Session, for contingent expense of the State Tax Board, for the fiscal year ending August 31, 1923, to the credit of the appropriation made for the same fiscal year for said board for payment of postage, telegraph, telephone and express."

Have had same under consideration, and I am instructed to report the resolution back to the Senate with the recommendation that it do pass, and that it be not printed.

WOOD, Chairman.

Enrolled Bills.

S. B. No. 10.

An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on the taking effect of this Act; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money or so much thereof as may be necessary, be and the same are hereby appropriated, to pay miscellaneous claims against the State as herein enumerated:

To pay various and sundry parties amounts due each by reason of the loss of cotton crops and being deprived of the privilege to plant and grow cotton on account of non-cotton zones established by the State to prevent the spread of the pink bollworm as per claims approved by the Compensation Claim Board appointed by the Governor, by authority of the Acts of the Thirty-seventh Legislature, Chapter 41, Section 9, page 125, and said claims now on file in the office of Commissioner of Agriculture, and being for the years 1918-1919 and 1920.....	\$439,946.50
To pay Sheriff T. A. Binford of Harris County for mileage and expenses incurred in the enforcement of law and apprehending prisoners.	8,232.17
To refund to Galveston County money paid into the State Treasury for the taking of shell out of the Galveston Bay, said refund authorized by Article 4021, R. S., of Texas...	892.36
To pay Alpine Lumber Company over payment franchise tax for the year 1922-23	13.58
To pay Judge James B. Hubbard for services as Special District Judge in Bell County during the years 1919, 1920 and 1921	1,281.15
To pay Yates Oil & Gas Company for over payment of gross receipts tax for the quater ending June 30, 1922.....	16.01
To pay James T. Byan as reward for the arrest and conviction of William M. (Mack) Jones.....	100.00
Buell Lumber Company for refund of excess payment on Franchise tax	32.00
To pay R. H. Kirk for taxes paid State of Texas twice.....	248.65
To pay W. N. Foster for services as Special Judge of Brazoria County, 1922	444.44
To pay City Ice and Bottling Works of Georgetown, Texas, for erroneous payment of occupation tax for years 1921 to 1919, inclusive	80.00
To pay George Morrison as Special Judge of Red River County	

for year 1922	\$ 64.80
To pay E. M. Davenport, Sheriff of Jackson County, for expenses incurred on trip to California to return R. P. Faulkner	212.07
To pay Paris Grocery Company of Greenville for 3000 pounds of beans furnished State Institutions in Austin, 1918.....	262.50
To pay D. M. McNeil Turner, Webb County, for services as Special District Judge of the Forty-ninth Judicial District, 1922	350.00
To pay W. W. Moores, Erath County, for services as Special Judge Twenty-ninth Judicial District, 1922.....	21.90
To pay Morgan Printing Company, Austin, on approved account for printing for Markets and Warehouse and Insurance Departments	441.00
To pay refund to Wichita Falls and Southern Railways for erroneous payment of taxes to Young County, 1922.....	511.92
1922	511.92
To pay in full Dr. James M. Loving for medical and surgical attention and treatment rendered Troy Leonard Brown, a private in the Texas National Guard, in August, September and October, 1920	200.00
To pay Walker Bros. & Co. for erroneous payment of franchise taxes for years 1917 to 1922, inclusive.....	364.00
To pay R. C. Burbank Labor Agency of San Antonio for excess on license, 1921.....	22.36
To pay Garza Employment Agency of San Antonio for refund upon expired license	25.00
To pay C. C. Johnson of San Antonio as refund on expired license of Loan Star Emigrant Agency for year 1920.....	31.05
To pay F. L. Snodgrass of Coleman County for services as Special Judge in 1922	54.75
To pay R. J. Robertson of Young County for erroneous payment of taxes on land in Young County for years 1893 and 1914	21.91
To pay R. P. Brasht for sundry items furnished National Guard at Rockport after storm of 1919.....	128.50
To pay Orus O. Ross of Wichita County for services as Special District Judge of the Thirtieth, Seventy-eighth and Eighty-ninth Judicial Districts	448.95
To pay W. W. Cook of Wichita County for services as Special District Judge of the Thirtieth Judicial District.....	32.79
To pay W. G. Gayle, County Attorney of Bee County, for four days' services rendered as District Attorney.....	60.00
To pay H. E. Chestley for nine days' services as special associate justice of the Court of Civil Appeals, 1922-23.....	109.50
To pay J. T. Smith, William Woodall and M. M. McFarlane 10 per cent commission on \$76,491.98, inheritance tax collected under contracts made by Comptroller Terrell, authorized by Act of Thirty-fifth Legislature.....	7,649.19
To pay Robstown Gin and Ice Company for erroneous payment of franchise taxes for years 1916 to 1921.....	569.55
For the payment of the claim of John T. Smith, William Woodall and M. M. McFarlane for commission claimed in the matter of collecting inheritance tax under contract with the State of Texas, said contract being for two years and expiring January 1, 1921, said contract being held valid by the Supreme Court of the State of Texas in the case of Johnson, tax collector, vs. Lon A. Smith, Comptroller, decided December 20, 1922; provided said claim is established by any district court sitting in Travis County, State of Texas, and authority is hereby given to the said Smith, Woodall and McFarlane to institute suit against the State of Texas for the recovery of said claim; provided further, that upon	

the trial of said cause if said claim is established in favor of Smith, Woodall and McFarland and against the State that no laches on the part of the holder of said claims shall defeat the recovery,* and that no statute of limitations shall be a claim in favor of the State against the said claimants or so much thereof as may be necessary; provided further, that the State may be cited in said cause by serving citation on the Attorney General of the State of Texas; provided that nothing herein shall be construed as preventing either the claimants or the State from the right of appeal as in other cases	\$ 10,607.43
To pay W. H. Grandberry for services as official court reporter of Fifty-fourth Judicial District Court, 1922.....	42.60
To pay Austin S. Dodd for services as Special District Judge of Red River County for the year 1922.....	328.74
To pay R. B. Truly for services as Special District Judge of Eastland County for the year 1922.....	186.15
To pay D. T. Bowles of Stephens County for services as Special District Judge for the year 1922.....	339.49
To pay C. P. Chastain for services as Special District Judge in Eastland County for the year 1922.....	251.85
To pay S. W. Davis for services rendered as Special Stenographer at Hillsboro, Texas, in the case of State of Texas vs. Conrad Simpkins in January and February, 1923.....	29.00
To pay to Miller Vidor Lumber Company State taxes erroneously paid on certain lands in Jasper County in the year 1922	103.50
To refund Southern Ice and Utilities Company of Dallas, Texas, for erroneous payment of franchise tax for 1919, 1920 and 1921	665.00
To pay Johnson Publishing Company of Virginia for double payment of franchise tax in 1921 and 1922.....	212.25
To pay Judge J. A. Mooney for services as Special Judge in the Ninth Judicial District in Hardin County, Texas, 1922..	54.75
To pay Judge J. W. Sanders for District Judge of the District Court of Roberts County for services as Special Judge in 1920	32.85
To refund to the Continental Mining Company of San Antonio, Texas, for overpayment of franchise tax in 1919 and 1920	980.00
To refund to the Texas and Mexico Mining Company of San Antonio, Texas, for overpayment of franchise tax in 1919, 1920 and 1921	120.00
To refund to the Jimulco Mining Company of San Antonio, Texas, for overpayment of franchise tax for 1919, 1920 and 1921	1,470.00
To refund to the Panuco Mountain Monclova Railway Company for overpayment on franchise tax for the years 1919 and 1920	180.00
To refund to J. D. Avis for erroneously paid gross receipts tax in 1921	44.55
To pay R. E. Hardwicks of Wichita County for services as Special District Judge	229.95
To pay Judge Geo. A. Smoot of Wichita for services as Special District Judge in 1922	88.80
To refund Brighton Investment Company of Dallas account of double payment franchise tax in 1921.....	15.00
To pay Judge W. N. Stokes of Wilbarger County for services as Special Associate Justice Court of Civil Appeals at Amarillo in 1921	411.00
To pay Judge Percy Spencer of Lubbock for services as Special District Judge in 1922.....	111.10

To pay Judge C. D. Wright of Silverton for services as Special District Judge in 1922.....	\$ 32.85
To refund to the Texas Pacific Coal and Oil Company gross receipts taxes, erroneously paid to the State in 1918 to 1922, inclusive	23,726.74
To pay to S. W. Dean of Grimes County for services as Special District Judge in 1922.....	21.90
To pay Ben Hicks, Sheriff of Montgomery County, Texas, for expenses incurred from Texas line to Colorado and return with prisoner in 1922.....	115.00
To pay McAlister Coal Company, Austin, Texas, for coal furnished Governor's Mansion, 1921.....	250.00
To pay Palmetto Lumber Company of Jasper, Texas, for payment to the State of excess taxes in the year 1921.....	130.20
To pay Duval Ranch Company of Houston, Texas, for payment of excess taxes in the year 1919.....	468.66
To pay J. L. Jennings of Canadian for services as Special Judge of Hemphill County for year 1921.....	120.45
To pay Talasek & Chupik of Rosenberg, Texas, for payment of excess taxes	60.00
To pay F. J. Huntoon, official stenographer of Ninetieth Judicial District for services rendered in 1922.....	23.00
To pay Moran & Son, Midland, Texas, refund of occupation tax erroneously paid for year 1921.....	18.00
To pay R. M. Smith for services as Special Judge of Wood County for year 1922.....	54.75
To pay A. D. Bohn of Austin Laundry for Governor's Mansion for year 1920-21	38.66
To pay H. C. Purl of Georgetown, Texas, for expenses incurred in trip to California in enforcement of law and apprehension of convicts	168.52
To pay W. W. Walling for services as Special Judge of Texas for year 1922	628.99
To pay Mrs. William Harbuck for excess taxes paid into the State by erroneous double rendition.....	84.45
To pay W. M. Burch for Special Services as Justice in Court of Civil Appeals, Second District, for year 1922.....	68.45
To pay E. O. Moffett for services as Deputy Official Reporter for Thirty-seventh Judicial District in 1922.....	38.41
To authorize the Board of Control to deliver to J. T. Robinson one registered bred Holstein heifer from the Southwestern Insane Asylum at San Antonio as balance payment for a registered Holstein bull purchased from the said Robinson by former State Purchasing Agent, George Leavy, as per agreement between the said purchasing agent and the said Robinson.	
To pay J. E. Vickers for services as Special Judge of Lubbock County, 1922	20.00
To pay Gus Gober, sheriff of Hardeman County, for expenses incurred in trip to California to return Jim Henry to the State under requisition of the Governor.....	246.10
To pay J. E. Kilgore for services as Special Judge of Wichita County, 1922	142.48
To pay A. H. Mount for services as Special Judge of Dallas County, 1922	54.75
To pay O. O. Franklin, Childress, Texas, for services as official court reporter, 1922.....	118.22
To pay C. D. Russell for services as Special Judge of Lubbock County, 1922	161.15
To pay W. M. Biggs, sheriff of Shackelford County, for sheriff's fees approved by Comptroller but no appropriation to pay same	94.03

To pay Royal R. Watkins for services as Special Judge of Dallas for year 1922.....	\$ 2,434.27
To pay A. B. Reynolds for services as Special Judge of Limestone County, 1922	49.31
To pay Henry Mings for services as Court Reporter of Upshur County, 1922	75.00
To pay M. H. Baughn for services as Special Judge of Lamar County, 1922	470.85
To pay L. D. Hillyer for services as official Court Reporter of the Eighty-eighth Judicial District, 1922.....	65.00
To pay Janie B. Summers, common law wife of James H. Cluck, deceased, inheritance tax erroneously paid, 1918....	1,036.00
To pay R. D. Holliday, sheriff of Polk County, expenses to Louisiana and return for arrest of D. E. Rainey, conveying said Rainey to Livingston, Polk County.....	40.00
To pay Danciger Oil & Refining Company, Mexia, refund for erroneous payment of gross receipt tax for quarter ending March 21, 1922	1,017.32
To pay Dallas News for advertisements for bids on building for School for Blind, 1917.....	12.00
To pay Lee Edens, physician attending the painter who fell from dome of the Capitol.....	10.00
To supplement salaries of district attorneys for month of August, 1922 (the amount appropriated being insufficient to comply with the statute).....	1,500.00
To pay Henry Stevens, sheriff of Bandera County, expense to California and return for arresting and conveying back Clifton Lewis, a fugitive from justice, to Bandera, Texas..	144.67
To pay Walter Tips Company of Austin, sundry accounts for supplies for buildings, grounds and power house of Capitol.	237.63
To pay Terminal Emigrant Agency, San Antonio, refund on emigrant agency license, 1921.....	250.00
To refund to the Crawford Rubber Company, Houston, Texas, for excess payment on gross receipt taxes.....	16.69
To refund to the Paris Grocery Company, Paris, Texas, for excess payment on gross receipt taxes.....	1.03
To refund to the Sterling D. Anderson Co., Houston, Texas, for excess payment of gross receipt taxes.....	39.39
To refund to L. Villegas & Co., Laredo, Texas, for excess payment on gross receipt taxes.....	.68
To refund to the Yantis-Herpel Motor Company, San Antonio, Texas, for excess payment of gross receipt taxes.....	2.36
To refund to the Gasoline Petroleum Company, Taylor, Texas, for excess payment of gross receipt taxes.....	50.55
To refund to the Federal Petroleum Co., Breckenridge, Texas, for excess payment of gross receipt taxes.....	23.31
To refund to Woody Hines, Wichita Falls, Texas, for excess payment of gross receipt taxes.....	32.17
To refund to Rio Grande Oil Company, El Paso, Texas, for excess payment of gross receipt taxes.....	6.57
To refund to the Power Oil Company for overpayment of charges for certified copies of papers in Secretary of State's office	8.00
To refund Mrs. Annie E. Dewees for erroneous payment of taxes, years 1901 to 1922, inclusive, on land in Wilson County	976.07
To pay to the Ninth Court of Civil Appeals at Beaumont on account of error in addition of appropriation for 1922 and 1923	600.00
To pay Judge Sam R. Scott of Waco for services as district judge in 1921	43.80
To refund to Harris County money paid into the State Treas-	

ury for shell taken out of Galveston Bay, said refund authorized by Article 4021, Revised Civil Statutes of Texas.	\$ 584.82
To pay J. W. McCutchan, sheriff of Howard County, expense from State line to Topeka, Kansas, for getting W. J. Hoffman, who had been convicted in Texas for selling liquor.	53.20
To pay D. H. Carpenter, Camp County, assignee, First National Bank of Newsome, refund on State taxes erroneously paid on property	44.55
To pay E. A. Peacy of Tarrant County refund of State taxes erroneously paid on land	97.53
To pay Claud P. Smith, official shorthand reporter, District Court of the Ninety-first Judicial District, Eastland County.	47.60
To pay Security Life Insurance Company of America for erroneous payment of State taxes on Liberty Bonds deposited in the State Treasury	150.00
To pay W. D. Garnett, Gainesville, Texas, for services as special district judge for Cook County in 1922	43.60
To pay German Adrion for damage done his car by inmates of Insane Asylum at Austin	18.00
To pay T. W. Thames and wife, Amelia S. Thames, for expenses incurred and loss and damages sustained by reason of the injury and death resulting from said injury to their son, Dell Thames, while an inmate of the Reformatory at Gatesville, Texas, the amount herein appropriated the full amount, and State is to be at no other expense	2,500.00
To pay Brazoria County the County Ad Valorem taxes on the land owned by the Prison System situated in Brazoria County for the years 1920, 1921 and 1922	22,928.98
To pay Fort Bend County the County Ad Valorem Taxes due on the land owned by the Prison System in said County for the years 1913, 1915, 1921 and 1922	6,623.88
To pay The Clay County Citizens Aid Association, rebate on franchise tax	93.50
To pay Keller Matthews, Young County, refund erroneous payment of taxes	11.77
To pay A. R. Merriweather, witness claim	3.08
To pay Z. T. Riley, witness claim	3.08
To pay Roy Phillip, witness claim	3.20
To pay Chester C. Clark, witness claim	4.00
To pay Mrs. Mary Clark, witness claim	4.00
To pay W. F. Hendricks, Special District Judge of Swisher County, Sixty-fourth Judicial District, six days salary	65.75
To pay Judge Carey M. Abney for five day's salary as Special Associate Justice of the Supreme Court	89.00
To pay R. E. Stalcup, for three days services as Special District Judge of Dallam County, Texas	32.85
To pay R. L. Johnson, for six day's services as Special Judge of the Seventy-seventh Judicial District of Texas	76.70
To pay W. N. Brown, witness claim	3.08
To refund to George Beggs, Ft. Worth, overpayment of gross receipt tax on oil produced, said payment to be based on an audit to be made by the Comptroller before payment is made, and so much of the amount herein appropriated as may be necessary shall be refunded, according to the amount shown to be due by the Comptroller	885.28
To pay sundry parties to whom the State Railroad is due money by the Prison Commission between April 1, 1921, and August 1, 1922, said claim now on file with the Comptroller, and numbered from 1 to 150, both numbers inclusive, when said claim has been duly verified as now provided by law, and when so verified, the Comptroller shall then issue his warrant in payment of such claims so verified.	5,656.64

To pay George W. Tackitt for services in the Texas Ranger Force in 1860	\$ 100.00
To pay D. A. Miller for services in the Texas Ranger Force in 1861	100.00
To pay L. L. Tackitt for services in the Texas Ranger Force in 1860	100.00
To pay Rankin Audit Company, Houston, amount due under contract for services in auditing State books, the amount herein appropriated to be the full amount due.....	402.50
To pay Narcissa Place Co., refund on Franchise Tax.....	69.20
To pay J. W. Madden, Special Associate Justice.....	463.80
To pay Geo. S. King and G. C. Clegg, Special Justices of the Supreme Court	927.80
To pay for painting and hanging former Governor Ferguson's picture	500.00
To pay H. L. Vaughn, refund occupation tax.....	450.00
To pay E. L. Steck Company for table.....	49.00
To pay the Shear Company (Waco) account for supplies furnished State Juvenile Training School, 1918-1919.....	434.06
To pay W. J. Cunningham, District Attorney (Special).....	41.65
To pay interest on Public Debt, 1924.....	135,091.00
To pay interest on Public Debt, 1925.....	135,091.00
To pay W. J. Barnes, Special Deputy, Eastland.....	40.30
To pay W. P. Midkitt, Special District Judge.....	66.66
To pay C. A. Dahlich for book cases, furniture, and table....	670.50
To pay Sam R. Merrill, Special District Judge.....	98.55
To pay W. & L. E. Gurley for weights and measures sold to F. C. Weinert, Commissioner Markets and Warehouse Department, year 1922	1,368.55
To pay unpaid balance of salaries of Game, Fish & Oyster Commissioner and Deputies as provided for in Chapter 44, Article 67 of the General Laws as passed at the Third Called Session of the Thirty-sixth Legislature, for which no appropriation has been made, as follows:	
J. R. Jefferson, Commissioner.....	277.77
W. W. Boyd	250.00
B. H. Smith, Chief Deputy.....	277.77
S. C. Tisdale, Chief Deputy.....	250.00
T. R. Leggett, Jr., Boat Deputy.....	61.66
Geo. Raymond, Boat Deputy	536.66
Frank Bauer, Boat Deputy.....	225.00
Earl Nelson, Boat Deputy.....	736.66
A. C. Thompson	786.66
J. F. Duffy, Boat Deputy.....	786.66
Wilburn Smith, Boat Deputy.....	625.00
J. A. Armstrong, Boat Deputy.....	275.00
C. H. Stelfox, Boat Deputy.....	25.00
E. F. Dupree, Shore Deputy, Houston.....	172.00
T. E. Sammons, Shore Deputy, Houston.....	200.00
Walter Kitchen, Mate of Boat.....	12.33
Tom Richardson, Mate of Boat.....	15.00
Henry Richards, Mate of Boat.....	10.00
J. N. Yeager, Mate of Boat.....	45.00
Alfred Butler	52.33
M. L. Cantwell, Superintendent Fish Hatchery.....	286.66
J. W. Hopson, Boat Deputy.....	25.00
J. R. Moreland, Boat Deputy.....	175.00
Will Holder, Hatchery workman.....	57.33
Howard Allenbaugh, Hatchery workman.....	57.33
To pay H. L. Yates for services as Special Judge in the Twenty-eighth Judicial District for seven days.....	93.52
To pay W. L. Scott for services as Special Judge in the	

Eighty-ninth Judicial District, Wichita County, for ten days	67.70
To pay J. B. Dooley for services as Special District Judge for Dallam County for three days.....\$	32.85
To pay C. O. Harris for services as Special District Judge in the Thirty-fifth Judicial District, Runnels County, for fourteen days	153.30
To pay Houston County Ad valorem taxes due on land owned by the Prison System for the years 1918 to 1922 inclusive.	4,691.89
To refund S. E. McAshan Grain Co/ of Houston, Texas, erroneous payment of franchise tax in 1922.....	18.00
To pay R. I. Goodall, who was sheriff of Kent County, on or about the 18th of March, 1918, for fulfilling the requirements laid down in Governor Hobby's proclamation concerning a proposed reward for the capture and conviction of the murder of Judge C. C. Higgins of Kent County....	500.00
To pay H. M. Kinard, Services as Special District Judge, Orange County	120.45
To pay F. P. Bowman, services as Special District Judge, Mills County	10.95
Total'	\$843,300.13

Sec. 2. The fact that many just claims against the State remain unpaid, and the further fact that the State is under obligation and is honor bound to meet its just obligations and many of thees claims are long past due and that public policy requires that all just demands upon the State be adjusted with as little delay as possible, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

SEVENTEENTH DAY.

Senate Chamber,
Austin, Texas,

Monday, June 11, 1923.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Absent—Excused.

Bailey.	Cousins.
Bledsoe.	Rogers.

Prayer by the Chaplain.

11—Senate.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

(See Appendix for committee reports, petitions and memorials.)

Excused.

Senator Bailey for Saturday, today and tomorrow, on account of important business, on motion of Senator Strong.

S. C. R. No. 9.

By Senator Woods:

Be it resolved, By the Senate of Texas, the House of Representatives concurring, that the Third Called Session of the Thirty-eighth Legislature of Texas, be adjourned sine die at 12 o'clock noon on Wednesday, June 13, 1923.

Woods, Burkett, Murphy, Doyle, Thomas, Strong, Floyd, Parr, Rice, Wirtz, Clark, Pollard, Ridgeway and Davis.

The resolution was read and on motion of Senator Doyle, was laid on the table subject to call.